

EXTENSIONS OF REMARKS

SMALL BUSINESS REMEDIATION ACT OF 1995

HON. JOE BARTON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 24, 1995

Mr. BARTON of Texas. Mr. Speaker, the environmental legislation that I am introducing today, the Small Business Remediation Act of 1995, is designed to ensure that small businesses and landowners will not be subjected to unreasonable remediation liability for dry-cleaning fluids. The intent of this bill is to strike a balance between adequate environmental protection and the avoidance of needlessly costly remediation not justified by human health exposure.

To fill the void in EPA's cleanup standards for the drycleaning fluid perchlorethylene (perc), the proposed legislation uses an extrapolation from another Federal agency, the Occupational Safety and Health Administration [OSHA], which already has a standard covering an estimated 99.9 percent of all exposure to perc. This is a rigorous standard required by law to adequately protect workers from harmful effects of a chemical, even if they are exposed 8 hours a day, 40 hours a week, for their entire working lives. Recognizing the difference between workplace and environmental standards such as the "healthy worker" effect and the potential exposure in the environment of 24 rather than 8 hours a day, the bill sets a safety margin or an entire order of magnitude. That is, the exposure standard for remediation in this bill 10 times stricter than OSHA allows for an entire working lifetime. If OSHA even lowers its standard, the remediation standard set in this bill will follow accordingly.

The bill seeks to address the real risks from perc exposure. It seeks to change the well-intentioned, hopefully apocryphal, process in which standards are selected to protect children even from eating tons of dirt for 70 years. Instead, an independent government scientific body will simply determine the equivalent exposure the general public faces, using realistic exposure and absorption assumptions. That information, plus the OSHA standard, will be used to calculate the proper amount of remediation necessary. Importantly, the bill protects all people from real human exposure by explicitly declaring it does not change existing Federal standards under the Safe Drinking Water Act.

While this bill does not specifically address third-party liability, it should remove all or most of that threat. If remediation is not necessary, except in the case of significant human exposure, and there is a congressional finding based on OSHA standards and the calculations of the National Institutes of Health that any health risks are small, it is difficult to see how there could be serious litigation, either under the environmental statutes or the common law.

I believe this bill is consistent with the Superfund reform legislation introduced last week and other regulatory reform legislation which seeks to relate environmental costs to real benefits. By doing so, the bill will benefit not only the tens of thousands of small dry-cleaners and their employees but also shopping mall owners, insurance companies, banks, and consumers. They will be free from the fear of crushing liability from an ordered remediation that could cost them a lifetime of savings, merely for such pointless requirements as cleaning up soil behind a shopping center to arbitrary pristine levels.

I look forward to working with my colleagues to pass this important bill.

H.R. —

SECTION 1. SHORT TITLE.

This Act may be cited as the "Small Business Remediation Act of 1995".

SEC. 2. FINDINGS AND INTENT OF CONGRESS.

(a) The Congress declares that the public should be protected from the risk of waste or spilled solvents and other chemicals in the soil, surface water, groundwater, and other environmental media.

(b) The Congress finds that the remediation requirements for spilled or waste chemical substances are often inconsistent, conflicting, and may impose a burden that bears little relationship to the potential harm to the environment and that these requirements pose a special burden on small businesses and landowners.

(c) Congress intends that standards shall be set for remediation that, with an adequate margin of safety, will protect public health from significant risk from these chemicals and below which level remediation will be permitted but not required.

(d) Congress resolves that to implement these conclusions a maximum level of remediation in soil, surface water, groundwater, and other environmental media shall be set, initially, for solvents for the dry cleaning industry.

SEC. 3. STANDARD FOR CLEAN-UP.

The maximum level of remediation of dry cleaning solvents in soil, surface water, groundwater, and other environmental media that a Federal, State, local agency, or court may require of a person engaged in dry cleaning or the owner of land or a facility in which such a person is conducting dry cleaning shall be one-tenth the equivalent exposure of the workplace standard for such solvents established by the Secretary of Labor under the Occupational Safety and Health Act of 1970.

SEC. 4. CALCULATION OF EQUIVALENT EXPOSURE

(a) In consultation with the Administrators of the Occupational Safety and Health Administration and the Environmental Protection Agency, the National Institute of Environmental Health Sciences shall, within 6 months of the date of the enactment of this Act, publish in the Federal Register its computation, based on realistic scientific assumptions, of equivalent exposure by ingestion, inhalation, and absorption indices for the general public, for soil, surface water, groundwater, and other environmental media in nonoccupational circumstances.

(b) The equivalent exposure shall be calculated from the workplace standard for dry cleaning solvents which assures on the basis of the best available evidence that no employee will suffer material impairment of health or functional capacity even if such employee has regular exposure for the employee's entire working lifetime.

SEC. 5. AUTHORIZATION TO REMEDIATE AT A LOWER LEVEL THAN THE MAXIMUM LEVEL OF REMEDIATION.

Nothing in this Act—

(1) shall preempt or otherwise prevent a Federal, State, or local government or private party from remediating soil, surface water, groundwater, or other environmental media to a lower level than the maximum level of remediation at its own cost and expense, or

(2) shall alter or affect the Federal drinking water standards under title XIV of the Public Health Service Act.

SEC. 6. DEFINITIONS.

For purposes of this Act:

(1) The term "other environmental media" means air and organic and inorganic material.

(2) The term "equivalent exposure" means the amount of a chemical substance found in air, surface water, groundwater, and other environmental media which is equivalent, under general and realistic conditions of human exposure, absorption, and toxicity, to that of the workplace standard for that substance.

(3) The term "maximum level of remediation" means one-tenth the equivalent exposure and is deemed fully protective of human health.

(4) The term "workplace standard for dry cleaning solvents" means the standard established by the Secretary of Labor under section 6(b)(5) of the Occupational Safety and Health Act of 1970 as the time-weighted average and set forth in section 1810.1000 Z-2 of title 29 of the Code of Federal Regulations.

CONGRATULATIONS TO REVEREND ALIFERAKIS AND THE CON- GREGATION OF THE ST. GEORGE HELLENIC ORTHODOX CHURCH

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 24, 1995

Mr. VISCLOSKY. Mr. Speaker, it is my great honor to rise and call attention to St. George Hellenic Orthodox Church in Schererville, IN. On October 29, 1995, the congregation of St. George will hold a consecration celebration of their church. This celebration will begin with a vespers service on Saturday night, followed by a dedication, banquet, and ball on Sunday.

Citizens of Hellenic origin began settling in the Indiana Harbor community of East Chicago in 1903. In 1929, a very small group of

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Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

industrious and young individuals coordinated plans to erect a church. Through their conscientious efforts, construction on the church was completed in 1938. The first parish priest was Reverend Demetriades. The church, named after a Roman soldier who was martyred for his faith, moved from East Chicago to Schererville in March, 1992. Today, St. George, which is currently under the leadership of the Reverend Constantine Aliferakis, proudly boasts a membership of over 300 families.

The consecration celebration is similar to the baptism of a child in that it symbolizes the setting apart of the church as a temple of God and its dedication to Him. This ceremony dates back to the fourth century, when St. Constantine dedicated the church after the Christian persecution ended. This once-in-a-lifetime ceremony for any church, will be conducted by Bishop Iakovos of the Greek Orthodox Diocese of Chicago. At the ceremony, the Bishop will dedicate the new furniture and painted wall hangings of six saints and martyrs.

Mr. Speaker, I ask you and my other colleagues to join me in a heartfelt message of congratulations to the Reverend Aliferakis and the congregation of St. George Hellenic Orthodox Church on this wonderful day of celebration. The members of St. George should be proud of their efforts to successfully preserve their Greek heritage.

A TRIBUTE TO FLOYD I. STUMBO

HON. LARRY COMBEST

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 24, 1995

Mr. COMBEST. Mr. Speaker, I rise today to pay tribute to Mr. Floyd I. Stumbo. On October 1, 1995, Mr. Stumbo retired after 38 years of service to the Children's Home of Lubbock, TX.

Floyd has been associated with the Children's Home of Lubbock for the past 38 years. Since 1957 he has selflessly served in many roles with the home. In 1970 he was named their chief executive officer, in which capacity he served until 1989, when he was named president. During these years the Children's Home of Lubbock flourished and steadily grew under his leadership and service. Today, the home stands as a modern progressive institution which provides care for over 4,200 children. It operates as a debt-free campus, which boast 20 buildings, thanks to his guidance.

Floyd has also given of himself to many other professional and community organizations. He has served in the Lubbock Chamber of Commerce, Rotary Club of Lubbock, Texas Association of Executives of Homes for Children, Texas Association of Licensed Homes for Children, Southwest Association of Executives of Homes for Children, the National Association of Homes for Children, and the Texas Association of Licensed Children's Services, as its President. Even with the demands of these many organizations and responsibilities, he still has the time and energy to serve as an elder of his church, the Broadway Church of Christ in Lubbock.

His leadership abilities have not gone unnoticed; he has received numerous awards for his dedication to the children of Lubbock,

among which are the Lubbock Christian University Leadership Award of 1986, the Christian Child Care Recognition for Leadership for 1985, the Pepperdine University Christian Service Award for 1983 and Citizen of the Year, Lubbock Chapter of the National Association of Social Workers for 1976. Now that he has stepped down from the Presidency, he has taken up the directorship of the Children's Home Foundation. This will enable him to enjoy some of life's finer pleasures such as golfing, travelling, visiting with friends of the Home, and spending more time with his family.

Mr. Speaker, I wholeheartedly thank Floyd for his dedication, untiring efforts, and his giving spirit of which the Children's Home of Lubbock is the greatest benefactor. I would also like to wish Floyd and Pat, his beloved wife, a happy and fulfilling retirement.

MEDICARE PRESERVATION ACT OF 1995

SPEECH OF

HON. NEIL ABERCROMBIE

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 19, 1995

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 2425) to amend title XVIII of the Social Security Act to preserve and reform the Medicare Program, with Mr. LINDER in the chair.

Mr. ABERCROMBIE. Mr. Chairman, last year Republicans in Congress blocked efforts to pass legislation that would have guaranteed health care to all Americans. Now Republicans propose a bill, H.R. 2425, which guts the health care safety net for older Americans. Medicare is our contract with American families, illustrating our commitment to enabling seniors to live in dignity and independence. H.R. 2425 is a direct attack on this contract and reneges on our commitment to older Americans, leaving them to face the high cost of health care alone at a time when they are at their most vulnerable.

H.R. 2425 cuts the Medicare Program by \$270 billion over the next 7 years. The Republicans in Congress state that these cuts are necessary to save the Medicare Program, but the cuts are far too deep and would create increased uncertainty and instability. The Medicare Trustees' Report states that Medicare will become insolvent in 2002, a fact that we must seriously address. However, by reducing Medicare funding by \$90 billion, we can assure the Medicare trust fund's viability through 2006. H.R. 2425, despite the massive \$270 billion cut, would still only assure Medicare solvency through 2006—the same year.

Instead of saving Medicare, Republicans are more interested in providing a \$245 billion tax-giveaway for the wealthiest Americans. Clearly, without the tax break, a smaller and more reasonable reduction in Medicare spending would be possible. However, Republicans refuse to acknowledge the recklessness of their actions and insist on maintaining a tax windfall for their wealthy friends. My commitment, I can assure you, remains with senior citizens, not these fat cat contributors and I intend to oppose H.R. 2425.

The Democrat's substitute, addresses the real issues facing Medicare. By reducing fund-

ing by \$90 billion over the next 7 years, we will shore up the Medicare trust fund through 2006. This gives us more than a decade to work on significant and sensible reforms to assure Medicare will always be there for those who need it. In addition, a major component of the Democratic proposal would combat fraud and abuse which costs Medicare \$18 billion each year. The Republican plan does not adequately address this issue and in fact makes it easier for fraud to go undetected.

I prevail upon my colleagues to stand up for America's senior citizens. Vote against H.R. 2425. Do not abandon your commitment to their health and security in old age.

PROSPECTS FOR DEMOCRACY IN CENTRAL AND EASTERN EUROPE

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 24, 1995

Mr. HAMILTON. Mr. Speaker, while we do not hear much about it, the struggle for democracy continues in Central and Eastern Europe. It is hard work, but it is important work because it affects the stability of Europe. Earlier this week, at a conference in Washington organized by Indiana University, a former colleague of ours, John Brademas, who represented the Third District of Indiana, delivered some very incisive remarks on the prospects for democracy in these countries. I commend these remarks to my colleagues.

CAN U.S.-STYLE DEMOCRACY WORK IN THE CEE REPUBLICS?

Allow me to welcome everyone to our panel on "Can U.S. Style Democracy Work in the CEE Republics?", part of the Indiana University International Forum on "Economic, Political & Military Security in Central and Eastern Europe."

I congratulate Indiana University on its initiative in organizing this Forum and I want to salute the Forum co-chairs, my fellow Hoosiers and distinguished former colleagues, Senator Richard Lugar and Representative Lee Hamilton; and to say how pleased I am that Congressman Hamilton, a valued friend of many years, is serving on this panel with Susan Atwood of the National Democratic Institute and Charles Gati of Interinvest. I am pleased also that two other friends, Rozanne Ridgeway and John Whitehead, both outstanding public servants, are chairing the other two panels at this Forum.

NED

At the outset, I would like to say a few words about why I am particularly interested in the issue of promoting democracy in Central and Eastern Europe and elsewhere.

First, since 1993 I have been chairman of the National Endowment for Democracy, one of the principal vehicles through which American Presidents, Senators and Representatives of both our political parties have sought over the last decade to promote free, open and democratic societies around the world.

Founded in 1983 by Act of Congress, NED is a bipartisan, non-governmental organization that champions, through grants to private organizations in other countries, the institutions of democracy. Although not a government entity, the Endowment is financed by an annual appropriation by Congress. The current budget is \$34 million.

I note that the National Endowment for Democracy is the only private association in